

REMARKS

This Amendment is being filed concurrently with a Request for Continued Examination. Claims 1, 3-5, 10 and 12-19 are pending in this application. By this Amendment, claims 12-19 are added. No new matter is added. In view of at least the following remarks, reconsideration and allowance are respectfully requested.

Claims 1, 3-5 and 10 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,203,136 (Takahashi) in view of U.S. Patent No. 6,068,364 (Kusumi). This rejection is respectfully traversed.

The applied references fail to disclose or suggest at least a print head cap including a ring-like lip "wherein the ring-like lip has corners that change a direction of surrounding the bottom surface and includes a distal end and a groove that urges the distal end to be deformed in an outer side of the ring-like lip," as recited in independent claim 1.

The Office Action asserts that Fig. 12(b) of Takahashi discloses a ring-like lip with a distal end and a groove that urges the distal end to be deformed in an outer in an outer side of the ring-like lip because Takashi allegedly discloses that the "cap expands." See Office Action at page 2; and Takahashi at col. 6, lines 44-54.

However, Takahashi does not disclose that the cap expands or that draping 35 expands, as alleged in the Office Action. In contrast, Takahashi merely discloses that "contact region" expands or that "the cap expands the contact region," i.e., the region of contact between the cap and the nozzle plate P increases.

When interpreted in context of Takahashi's disclosure, it is abundantly clear that Takahashi is not referring to an expansion of draping 35. Specifically, the paragraph in Takahashi preceding the paragraph cited in the Office Action frames the context of the discussion in which it discloses that the contact region expands. As stated in Takahashi at col. 6, lines 32-43, the cap rises up gradually at an angle (Fig. 4) so that "one end of the cap

34 on the non-printing region side. . .first contacts with the nozzle plate P is pushed by the nozzle plate P to thereby change its posture to be parallel with the nozzle plate gradually." Takahashi further states that "Since the cap moves its contact position with the nozzle plate P partially while expanding the contact region from its one corner of the draping 35 gradually, pressure concentrates into the contact region partially, so that the cap expands the contact region thereof and seals the recording head while being made familiar to the recording head from its one corner." See Takahashi at col. 6, lines 44-48.

Takahashi therefore discloses that one corner of the draping 35 first contacts the recording head and that the "contact region" of the cap increases from one corner until the cap seals the recording head while being made familiar to the recording head. Accordingly, the disclosure in Takahashi refers to the contact region increasing as more portions of the cap gradually make contact with the recording head, and does not suggest that cap itself expands, or that the groove urges the distal end to be deformed in an outer side of the ring-like lip, as required in claim 1.

Furthermore, even if the Office Action interpretation of Takahashi is accepted, the alleged "cap expansion" does not suggest that the groove "urges the distal end to be deformed in an outer side of the ring-like lip," as required in claim 1. Thus, claim 1 does not simply recite that the distal end is deformed, it recites that the distal end is deformed in an outer side of the ring-like lip. Any alleged expansion in Takahashi does not constitute a disclosure that the distal end is deformed in an outer side of the ring-like lip. In this regard, the Office Action does not explain how an alleged cap expansion in Takahashi meets the claimed features and, accordingly has failed to provide explicit "articulated reasoning with a rational underpinning" to support a legal conclusion of obviousness. See, *KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1747 (2007).

The Office Action also cites Kusumi for its alleged disclosure of a groove that extends vertically and perpendicular to the bottom surface, and argues that "it would have been obvious to one of ordinary skill in the art to use the cap disclosed by Kusumi as the capping device disclosed by Takahashi." See Office Action at page 5.

However, it is well settled that the claimed invention must be considered as a whole in determining obviousness. See MPEP §2141.02. The modification of Takahashi's cap with the vertical surface (alleged groove) 48 in Kusumi, would provide a cap that cannot meet the claimed limitation "a groove that urges the distal end to be deformed in an outer side of the ring-like lip." Kusumi's alleged groove 48 is a cut-out that forms a right angle to the surface of the recording head, as can be seen in Fig. 4. Using "the cap disclosed by Kusumi as the capping device disclosed by Takahashi," as alleged in the Office Action, accordingly does not meet all of the features of claim 1 because Kusumi's groove would not enable the distal end to be deformed in an outer side of the lip. The Office Action does not explain how the cap should be further modified to meet the claimed features. For the above reasons, independent claim 1 is patentable over the applied references.

Independent claim 10 recites similar features to those referred to in connection with claim 1, and is therefore also patentable over the applied references.

Claims 3-5 depend from claim 1 and are therefore also patentable over the applied references for at least the reasons enumerated above, as well as for the additional features they recite.

Accordingly withdrawal of the rejection is respectfully requested.

New claims 12-19 are also patentable over the applied references.

Specifically, the applied references fail to disclose or suggest a print head cap including "a groove which is provided in an outside surface of the plurality of side walls, and

is formed between a distal end and a proximal end of each side wall in a direction of the nozzle surface," as recited in independent claim 12.

For example, Kusumi's alleged groove 48 and Takahashi's alleged groove (Fig. 12(b)) are not formed between a distal end and proximal end of each sidewall in a direction of the nozzle surface.

At least claims 13 and 14 further define features of the groove that are not suggested by Kusumi and Takahashi, either alone or in combination.

The applied references also fail to disclose or suggest a print head cap including "means, which is provided in the lip, for urging a distal end of the lip to be deformed toward an outer side of the lip when a print head cap is pressed onto the nozzle surface," as recited in independent claim 18.

For the reasons discussed above in connection with claim 1, Takahashi does not disclose or suggest any structure that urges a distal end to be deformed toward an outer side of the lip. Thus, for the above reasons, independent claims 12 and 18 are also patentable over the applied references.

New claims 13-17 and 19 depend from one of independent claims 12 and 18 and are therefore also patentable over the applied references for at least the reasons enumerated above, as well as for the additional features they recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Request for Continued Examination
Petition for Extension of Time
Amendment Transmittal

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